

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DONALD TROUTMAN,	)	
	)	
Petitioner,	)	
	)	
v.	)	2:24-cv-00791
	)	
DISTRICT ATTORNEY ALLEGHENY	)	
COUNTY, et al.,	)	
	)	
Respondents.	)	

**ORDER DISMISSING PETITION AND DENYING CERTIFICATE OF  
APPEALABILITY AND ADOPTING REPORT AND RECOMMENDATION**

The Petitioner, Donald Troutman, submitted a Petition pursuant to 28 U.S.C. § 2254. [1] In forma pauperis status was granted, [2], and that Petition was filed on the docket. This action was referred to Magistrate Judge Maureen P. Kelly for the conduct of certain proceedings. Judge Kelly issued a Report and Recommendation (“R&R”), [5], recommending that the Petition be dismissed as a second or subsequent such petition for which no certificate of appealability had been issued and that this Court therefore lacked jurisdiction over this matter.

The R&R was mailed to the Petitioner at the address he used for the filing of the Petition which is the address of record on this docket. The R&R set forth the process for the filing of Objections to the R&R and the time for doing so. That time period has expired, and no Objections have been filed. The undersigned has nonetheless considered the papers of record and the R&R, and concludes that the disposition recommended by the R&R is correct in all respects and is in conformity with prevailing law, and the R&R is adopted as the Opinion of the Court.

As recommended by the R&R, the Petition [3] is DISMISSED as a second or subsequent such petition as to which no certificate of appealability had been issued, and this Court therefore

lacks jurisdiction over the matter. Because the Court also concludes that jurists of reason would not find that disposition debatable, a certificate of appealability is denied.

This action is DISMISSED, a certificate of appealability is DENIED, and the Clerk shall close the action on the docket.

This Order shall be transmitted to the Petitioner at the address of record listed on this docket.

A handwritten signature in black ink, appearing to read 'Mark R. Hornak', written over a horizontal line.

Mark R. Hornak  
Chief United States District Judge

Dated: June 25, 2024